



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/666,738	09/17/2003	Richard Jackson	P0308	6061
7590 08/08/2006			EXAMINER	
Burkhart & Burkhart Patent Attorneys 940 Dakota Avenue Whitefish, MT 59937			ANWAH, OLISA	
			ART UNIT	PAPER NUMBER
			2614	

DATE MAILED: 08/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/666,738	Applicant(s) JACKSON ET AL.	
	Examiner Olisa Anwah	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2614

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-12 and 14-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by Othmer et al, U.S. Patent Application Publication No. 2004/0064317 (hereinafter Othmer).

Regarding claim 1, Othmer discloses a method of producing a document at a remote typing station using information input from a remote user location, the method comprising the following steps:

establishing a telephonic connection between a user location and a central computer;

Art Unit: 2614

establishing a connection between the typing station and the central computer;

entering voice user information from the user location into the central computer via the telephonic connection;

entering image user information (see paragraph 0038) from the user location into the central computer via the telephonic connection;

receiving and storing the input user information in the central computer;

generating a notification signal to a remote typing station indicating that user information has been received;

retrieving input user information, at the typing station, from the central computer;

producing a document at the typing station using the user information from the central computer, the document including the image information correlated with the verbal information;

transmitting the document from the typing station to the central computer;

Art Unit: 2614

receiving and storing the document in the central computer;
establishing a connection between a destination location and the
central computer; and

transmitting the document from the central computer to the
destination location (see Figures 3 and 7).

Regarding claim 2, see paragraphs 0037 and 0038.

Regarding claim 3, see paragraphs 0037 and 0038.

Regarding claim 4, see Figure 11 and unit 160 from Figure 1.

Regarding claim 5, see paragraph 0038.

Regarding claim 6, see Figure 11 and unit 160 from Figure 1.

Regarding claim 7, see paragraph 0028.

Regarding claim 8, see paragraph 0070.

Regarding claim 9, see paragraph 0070.

Regarding claim 10, Othmer discloses a method of producing a
document at a remote typing station using information input from

Art Unit: 2614

a remote user location, the method comprising the following steps:

establishing a telephonic connection between a user location and a central computer;

entering voice and image information (see paragraph 0038) from the user location into the central computer via the telephonic connection;

receiving and storing the input information in the central computer;

generating a notification signal to a remote typing station indicating that information has been received;

establishing a telephonic connection between the typing station and the central computer;

retrieving input information, at the typing station, from the central computer;

producing a document at the typing station using the information from the central computer;

transmitting the document from the typing station to the central computer via the telephonic connection;

Art Unit: 2614

generating a notification signal to a remote proofreading station indicating that information has been received;

establishing a telephonic connection between the proofreading station and the central computer;

retrieving the document, at the proofreading station, from the central computer;

processing the document at the proofreading station to produce a final document;

transmitting the final document from the proofreading station to the central computer via the telephonic connection;

receiving and storing the final document in the central computer;

establishing a telephonic connection between the user location and the central computer; and

transmitting the final document from the central computer to the user location via the telephonic connection (see Figures 3 and 7).

Regarding claim 11, see paragraph 0065.

Art Unit: 2614

Regarding claim 12, see paragraph 0038.

Regarding claim 14, see Figure 11.

Regarding claim 15, see Figure 11.

Regarding claim 16, see Figure 11.

Regarding claim 17, see paragraph 0028.

Regarding claim 18, see paragraph 0070.

Regarding claim 19, see paragraph 0070.

Regarding claim 20, see paragraph 0065.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 13 is rejected under 35 U.S.C § 103(a) as being unpatentable over Othmer.

Art Unit: 2614

As per claim 13, Othmer does not explicitly teach the step of entering information from the user location into the central computer via the telephonic connection comprises entering faxed material into the central computer. "Official Notice" is taken that this limitation is both old and well known in the art.

Therefore it would have been obvious to one of ordinary skill in the art to modify Othmer wherein the step of entering information from the user location into the central computer via the telephonic connection comprises entering faxed material into the central computer. This modification would have improved the system's convenience by allowing supplemental audio file information to be received as suggested by Othmer (see paragraph 0039).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 571-272-7533. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 571-272-7547. The fax phone numbers for the organization where this application or proceeding is assigned

Art Unit: 2614

are 571-273-8300 for regular communications and 571-273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-2600.

O.A.

Olisa Anwah
Patent Examiner
August 4, 2006



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600